

# Ballard Spahr

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April 24, 2018

*Via E-mail (Moiria.Penza@usdoj.gov)*

Moiria Kim Penza  
Assistant United States Attorney  
United States Attorney's Office  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201

Re: Adrienne Stiles Subpoena for Records

Dear Ms. Penza:

We represent the Ethical Science Foundation, a non-profit organization in the State of New York. We write, also with consent of attorneys for Clare Bronfman, regarding a subpoena you directed at Adrienne Stiles for records, including those located in Unit #B379, at Prime Group Storage, 1771 Route 9, Clifton Park, New York 12065 (the "Storage Unit").

Documents in that storage unit are owned by the Ethical Science Foundation, as well as the Bronfmans. These documents are personal and contain privileged documents. None of the documents are owned by Ms. Stiles. We have been in contact with Ms. Stiles' attorney, Neil Glazer, who mistakenly and repeatedly contends that he has possession, custody, and control of the documents in the Storage Unit and that he intends to "index all containers, and then review the documents" before producing them to you.

Ms. Stiles has no rightful possession, no custody, and no control. Neither she nor her attorney should be opening, sifting through, or indexing these documents. Possession is being artificially manufactured by Ms. Stiles' attorney. It doesn't exist in the law and it would be a miscarriage of justice for him to attempt to produce these documents in response to your subpoena. These documents contain personal and privileged information, and Mr. Glazer has been directly informed of that fact on more than one occasion.

Ms. Stiles' menial and limited role was to place boxes into the unit. She never possessed authority to view any of these documents, let alone index and categorize them.

We intend to vigorously challenge Ms. Stiles' and her attorney's viewing and production of these documents in every respect and at every stage. These documents can be produced without being

Moira Kim Penza  
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tainted. We are requesting that the subpoena be withdrawn and that we be provided the legally-grounded opportunity to review these documents and to produce documents pursuant to an agreement or revised subpoena.

Very truly yours

A handwritten signature in black ink, appearing to read "Dennis K. Burke". The signature is fluid and cursive, with the first name "Dennis" and last name "Burke" clearly distinguishable.

Dennis K. Burke

DKB/cmw